



Defendants Planned Parenthood Gulf Coast, Inc. (“PPGC”), Planned Parenthood of Greater Texas, Inc. (“PPGT”), Planned Parenthood South Texas, Inc. (“PPST”), Planned Parenthood Cameron County, Inc. (“PP Cameron County”), Planned Parenthood San Antonio, Inc. (“PP San Antonio”) (collectively, “Affiliate Defendants”), and Planned Parenthood Federation of America, Inc. (“PPFA”) (all collectively, “Defendants”) move pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1), and 12(b)(6) to dismiss Relator’s Complaint.<sup>1</sup> In support of their Motion, Defendants respectfully refer the Court to their Memorandum in Support.

WHEREFORE, Defendants respectfully move that this Honorable Court dismiss Relator’s Complaint because: (1) Relator’s False Claims Act (“FCA”) claims are barred by the statutory public disclosure bar; (2) Relator fails to plausibly allege the essential elements of a FCA violation, as required under Rule 12(b)(6); (3) Relator fails to plead fraud with the particularity required by Rule 9(b); and (4) Relator’s Texas and Louisiana state law claims are deficiently pled and the Court should decline to exercise supplemental jurisdiction over them.

### **REQUEST FOR HEARING**

Defendants request a hearing to assist the Court with its consideration of this matter.

---

<sup>1</sup> Pending the Court’s ruling on PPGT and PPFA’s party-specific arguments, PPGT and PPFA conditionally join the other Defendants’ motion to dismiss.

Dated: February 14, 2022

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER  
LLP

By: /s/ Craig D. Margolis  
Craig D. Margolis  
Craig.Margolis@arnoldporter.com  
Murad Hussain  
Murad.Hussain@arnoldporter.com  
Tirzah Lollar  
Tirzah.Lollar@arnoldporter.com  
601 Massachusetts Ave, NW  
Washington, DC 20001-3743  
Telephone: +1 202.942.6000  
Fax: +1 202.942.5999

Christopher M. Odell  
Texas State Bar No. 24037205  
Christopher.Odell@arnoldporter.com  
700 Louisiana Street, Suite 4000  
Houston, TX 77002-2755  
Telephone: +1 713.576.2400  
Fax: +1 713.576.2499

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2022, the foregoing document was electronically filed with the Clerk of Court using CM/ECF.

/s/ Craig D. Margolis  
Craig D. Margolis